



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 22nd November, 2022 at 7.00 pm

PRESENT:

Councillor E Baines (Chair)	Councillor P Browne (Vice-Chair)
Councillor N Begy	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor W Cross	Councillor J Dale
Councillor R Payne	Councillor R Wilson

ABSENT:

Councillor D Blanksby	Councillor A MacCartney
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OFFICERS PRESENT:

Justin Johnson	Development Manager
Magda Waclawik	Planning Officer
Joe Mitson	Planning Officer
Sherrie Grant	Planning Solicitor
Robyn Green	Highways Engineer
David Ebbage	Governance Officer

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Blanksby and MacCartney.

2 MINUTES

Consideration was given to the minutes of the meeting held on 25th October 2022.

RESOLVED

a) That the minutes of the meeting on 25th October be **APPROVED**.

3 DECLARATIONS OF INTERESTS

Councillor W Cross, P Browne, J Dale and A Brown declared a personal interest in item 5e – Planning Applications, application 2022/0924/FUL. All Councillors confirmed they came to the meeting with an open mind.

Councillor E Baines declared a personal interest in item 5e – Planning Applications, application 2022/0924/FUL as the applicant was a family member. He confirmed that he would step down as Chair and remove himself from the meeting at that point.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received on item 5, Planning Applications:

In relation to 2021/0450/FUL, Nick Sale spoke on behalf of Seaton Parish Council.

In relation to 2022/0459/FUL, Simon Frearson spoke as a member of the public opposing the recommendation.

5 PLANNING APPLICATIONS

Report No.186/2022 was received from the Strategic Director of Places.

The Chair informed Members of the Committee that Planning Applications 5c and 5d had been withdrawn from this meeting pending completion of an environmental report. He confirmed that they would come to a subsequent meeting.

Item 5a – 2021/1450/FUL - Land to the west of Uppingham Road, Seaton.
Change of use of land from agricultural to equestrian use and the erection of a stable building.

(Parish: Seaton; Ward: Lyddington)

Item 5b – 2022/0459/FUL - 2 North Luffenham Road, South Luffenham Demolition of existing single storey side extension and front porch. Replacement with single and two storey side and rear extension and new porch. External alterations to include rebuilding of dry stone wall and new side gate.

(Parish: South Luffenham; Ward: Normanton)

Item 5e – 2022/0924/FUL - Barn at Manor House, Main Street, Ridlington
Extension to existing agricultural unit, including demolition of part of existing structure and new solar panels to roof.

(Parish: Ridlington; Ward: Braunston and Martinsthorpe)

5a 2021/1450/FUL

Joe Mitson, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from Steve Sugden who spoke on behalf of Seaton Parish Council and Councillor Andrew Brown who spoke as the Ward Member. The Committee also had the opportunity to ask questions of these speakers.

The Chair wanted to clarify with the Highways Officer around the level of danger to the existing access and if the number of movements in and out of the access affected the level of danger. The Highways Officer confirmed with the proposed access, the stable block would intensify the amount of movements by adding an extra 2 vehicles in and out of the access to potentially double the amount of traffic, and on that basis would

not be safe from a highways prospective. If it would remain at 2 vehicles a day, it would be hard to object to the proposal but with the increase of use it was a concern.

Councillor Begy asked the Principal Planning Officer about the biodiversity net gain on the site before the applicant carried out work and what there was on the site now and the implications on that figure. Justin Johnson responded saying the Council would look to mitigate what was removed from the site and with the site being in a conservation area, an issue would still be investigated by an enforcement officer and forestry officer around the clearance of that site.

Councillor Gordon Brown asked a question on the implications on the BAP Priority Habitat with the removal of trees or species that took place prior to planning permission. Justin Johnson responded by saying the site would have had a record to what species were specifically on the site. Depending what the list compiled of and if it had any protected species on the list, a possible criminal offence would be investigated. The loss of the trees would be looked at by the Council and the loss it would have on the conservation area and if the Council had sufficient evidence to prosecute for the removal of the trees.

It was moved by Councillor W Cross and seconded that the application be refused. The reasons for refusal were:

- Highways concerns around the poor visibility to the site and the site being situated on a national speed limit stretch of highway.
- Intensification on the use of the access.
- The concerns of exiting the site onto the high speed side of the road and the dangers around that.

Upon being put to the vote the motion was unanimously agreed.

RESOLVED

- a) That the application 2021/1450/FUL be **REFUSED** subject to the reasons outlined by the Development Manager and agreed by Members within the debate.
- b) The full list of reasons can be found on the planning application page of the Council's website

<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

5b 2022/0459/FUL

Magda Waclawik, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from Simon Frearson who spoke as a member of the public opposing the application and Councillor Kenneth Bool who spoke as the Ward Member. The Committee also had the opportunity to ask questions of the speakers.

Members raised concerns over the parking spaces that were proposed in the application and the implications around who would maintain them. It was explained to Members that they sat within the public highway and would not be allocated to the application dwelling. The Highways Engineer did also explain that the Local Highway Authority could consider a request under Section 278 of the Highways Act 1980 to carry out this work to maintain the spaces, but they still would remain open to the public use and not be allocated.

A question was asked on the materials that would be used for the extension and if they were acceptable for a property within a conservation area. Samples had been asked to be provided it was also something that could be controlled through the condition and through discussions with the conservation officer. If the Council was not happy with what was provided then the Council had the power to ask for more appropriate materials to be used.

Councillor Gordon Brown raised concerns around the site being pushed to the boundaries edge, and whether it was becoming an over developed site. Justin Johnson, Principal Development Manager responded saying there were no policies to stop building works taking place up to the edge of boundaries. He did say with the separation distance from neighbouring properties, he didn't believe any harm would come from the proposed plans.

Members did address their concern over the impact on the neighbouring trees that were within close proximity to the property. The Council's Forestry Officer raised no objections to what had been proposed.

It was moved by Councillor G Brown and seconded that the application be approved subject to the condition in the report and the additional conditions suggested by Councillor G Browne. With 6 votes in favour and 3 abstentions, the motion was carried.

RESOLVED

- a) That the application 2022/0459/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) The full list of reasons can be found on the planning application page of the Council's website

<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

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Councillor E Baines stepped down from the Chair and was replaced by his Vice-Chair
Councillor P Browne.

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5e 2022/0924/FUL

Joe Mitson, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

With the slightly increased height to the proposed unit, Members queried the impact on the neighbouring property. The Planning Officer responded by saying it would obscure their view partially with the limited increase in height given the lower level of the unit and the separation distance from the neighbouring property, but the Council felt the proposed extension wouldn't have an undue impact on them.

It was moved by Councillor Begy and seconded that the application be approved subject to the condition in the report, upon being put to the vote the motion was unanimously agreed.

RESOLVED

- a) That the application 2022/0924/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer.
- b) The full list of reasons can be found on the planning application page of the Council's website

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9 APPEALS REPORT

Report No. 187/2022 was received from the Strategic Director for Places. Justin Johnson, Development Manager, presented the report which listed for Members' information the appeals received since the last ordinary meeting of the Planning & Licensing Committee and summarised the decisions made.

RESOLVED

- a) That the contents of the report be **NOTED**.

10 ANY OTHER URGENT BUSINESS

There were no items of urgent business.

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The Chairman declared the meeting closed at 8.50pm.

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